

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0269.03 Jed Franklin x5484

**HOUSE BILL 25-1009**

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**HOUSE SPONSORSHIP**

**Mauro,**

**SENATE SPONSORSHIP**

**Cutter,**

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**House Committees**

Agriculture, Water & Natural Resources

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A VEGETATIVE FUEL MITIGATION PROGRAM FOR A**  
102 **DISTRICT PROVIDING FIRE PROTECTION SERVICES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill allows a fire protection district or a metropolitan district providing fire protection services (district) to create a program to mitigate the presence of dead or dry plant material that can burn and contribute to a fire on privately owned property within a district (vegetative fuel program). A district that creates a vegetative fuel program is required to adopt policies consistent with the 2024 International Wildland-urban

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

Interface Code or the standards and codes adopted or issued by the Colorado wildfire resiliency code board. A district that creates a vegetative fuel program may require an owner or occupier with an interest in private real property that contains vegetative fuel within the district to remove the vegetative fuel and assess a fine per incident of noncompliance. In order to assess a fine, for each incident, the district must provide written notice of the requirement to remove vegetative fuel and allow at least 10 days for the owner or occupier to comply. An owner or occupier that does not remove the vegetative fuel as provided in the first notice may be subject to a second notice requiring the removal of vegetative fuel. An owner or occupier has at least 10 days to comply with the second notice. An owner or occupier that does not comply within at least 10 days after the second notice may receive a third notice providing for a fine approximately equal to the cost of removing the vegetative fuel. The fine may not exceed \$300 per property per incident. An owner or occupier receiving a third notice may avoid a fine by removing the vegetative fuel within 10 days of the date of the third notice.

The money a district collects from a fine must be used by the district to remove vegetative fuel on private real property within the district's jurisdiction. An owner or occupier that is subject to a fine imposed by the district has standing to file an objection to the fine with the district's board. A district's board may waive the fine in all or in part, in its discretion, if it determines that the fine was not assessed pursuant to law, an owner or occupier is financially unable to pay the fine, or the vegetative fuel has been removed, and must prioritize use of the money to assist a low-income owner or occupier, a senior owner or occupier, or an owner or occupier with a disability in removing vegetative fuel from the owner or occupier's property.

A district shall adopt rules and policies after public notice and comment to implement the bill and shall post the adopted rules and policies to the district's website.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Colorado's wildfire season has grown in length and severity,  
5 in some cases posing a year-round threat to communities throughout  
6 Colorado;

7 (b) Wildfires present a grave risk to Colorado's residents,

1 property, and natural environment, whether in the mountains, on the  
2 prairie, or in suburban areas;

3 (c) Wildfires can cause devastating property destruction and loss  
4 of life; and

5 (d) The creation and maintenance of defensible space around  
6 homes is a proven strategy to reduce wildfire risks and provide critical  
7 time for responding firefighters, while overgrown, dead, or dying  
8 vegetation increases the risk of fire spread, threatening homes and  
9 neighboring properties.

10 (2) Therefore, the general assembly further finds and declares that  
11 while the state of Colorado and local governments have invested  
12 substantial resources in wildfire mitigation and suppression, there is a  
13 need to further empower fire protection districts and metropolitan districts  
14 providing fire protection services to implement localized vegetative fuel  
15 management programs, which are essential to enhance community safety  
16 and resilience in the face of an increasing wildfire threat.

17 **SECTION 2.** In Colorado Revised Statutes, 32-1-103, **add** (14.3)  
18 **and** (23.7) as follows:

19 **32-1-103. Definitions.** As used in this article 1, unless the context  
20 otherwise requires:

21 (14.3) "PRIVATELY OWNED REAL PROPERTY" OR "PROPERTY"  
22 MEANS PRIVATELY OWNED REAL PROPERTY THAT IS NOT CLASSIFIED AS  
23 AGRICULTURAL LAND BY THE TAX ASSESSOR.

24 (23.7) "VEGETATIVE FUEL" MEANS ANY DEAD OR DRY PLANT  
25 MATERIAL THAT CAN BURN AND CONTRIBUTE TO A FIRE, INCLUDING  
26 LEAVES, GRASS, SHRUBS, GROUND LITTER, DEAD LEAVES, AND FALLEN PINE  
27 NEEDLES.

1           **SECTION 3.** In Colorado Revised Statutes, 32-1-1002, **add** (1)(i)  
2 as follows:

3           **32-1-1002. Fire protection districts - additional powers and**  
4 **duties - definitions - vegetative fuel removal.** (1) In addition to the  
5 powers specified in section 32-1-1001, the board of any fire protection  
6 district has the following powers for and on behalf of the district:

7           (i) (I) A FIRE PROTECTION DISTRICT MAY ESTABLISH, IN ITS  
8 DISCRETION, A PROGRAM TO REQUIRE THE REMOVAL OF VEGETATIVE FUEL  
9 FROM PRIVATELY OWNED REAL PROPERTY WITHIN THE BOUNDARIES OF THE  
10 DISTRICT, AND A FIRE PROTECTION DISTRICT THAT ESTABLISHES A  
11 PROGRAM SHALL ADOPT POLICIES CONSISTENT WITH THE 2024  
12 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, A SUBSEQUENT  
13 CODE ESTABLISHED BY THE INTERNATIONAL CODE COUNCIL, OR THE  
14 STANDARDS AND CODES ADOPTED OR ISSUED BY THE COLORADO WILDFIRE  
15 RESILIENCY CODE BOARD.

16           (II) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
17 PURSUANT TO SECTION (1)(i)(I) OF THIS SECTION MAY ASSESS A FINE IN  
18 ACCORDANCE WITH THIS SUBSECTION (1)(i)(II). FOR EACH INCIDENT OF  
19 VEGETATIVE FUEL ON A PROPERTY, A FIRE PROTECTION DISTRICT MUST  
20 PROVIDE TO AN OWNER OR OCCUPIER OF THE PRIVATELY OWNED REAL  
21 PROPERTY WRITTEN NOTICE OF THE REQUIREMENT TO REMOVE  
22 VEGETATIVE FUEL FROM A PROPERTY AND THE AMOUNT OF A POTENTIAL  
23 FINE. AT LEAST TEN DAYS AFTER PROVIDING A FIRST NOTICE, IF THE  
24 VEGETATIVE FUEL HAS NOT BEEN REMOVED, A DISTRICT MAY PROVIDE A  
25 SECOND WRITTEN NOTICE TO THE OWNER OR OCCUPIER CONTAINING THE  
26 SAME INFORMATION. AT LEAST TEN DAYS AFTER PROVIDING A SECOND  
27 NOTICE, IF THE VEGETATIVE FUEL HAS NOT BEEN REMOVED, A DISTRICT

1 MAY ASSESS A FINE AGAINST THE OWNER OR OCCUPIER BY PROVIDING  
2 WRITTEN NOTICE OF THE FINE TO THE OWNER OR OCCUPIER. THE AMOUNT  
3 OF A FINE MUST BE APPROXIMATELY EQUAL TO THE COST OF REMOVAL OF  
4 THE VEGETATIVE FUEL ON THE PROPERTY AND MUST NOT EXCEED THREE  
5 HUNDRED DOLLARS PER PROPERTY PER INCIDENT. A FINE IS WAIVED IF THE  
6 OWNER OR OCCUPIER REMOVES OR CAUSES THE REMOVAL OF THE  
7 VEGETATIVE FUEL WITHIN TEN DAYS OF RECEIVING NOTICE OF AN  
8 ASSESSMENT OF A FINE.

9 (III) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
10 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION MUST USE THE  
11 MONEY COLLECTED FROM A FINE ASSESSED PURSUANT TO THIS SECTION  
12 ONLY TO REMOVE VEGETATIVE FUEL ON PRIVATE REAL PROPERTY WITHIN  
13 THE DISTRICT'S JURISDICTION. A FIRE PROTECTION DISTRICT MUST  
14 PRIORITIZE USE OF THE MONEY TO ASSIST A LOW-INCOME OWNER OR  
15 OCCUPIER, A SENIOR OWNER OR OCCUPIER, OR AN OWNER OR OCCUPIER  
16 WITH A DISABILITY TO REMOVE VEGETATIVE FUEL FROM THE OWNER OR  
17 OCCUPIER'S PROPERTY.

18 (IV) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
19 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION SHALL ESTABLISH A  
20 PROCESS FOR A PERSON THAT OWNS OR OCCUPIES PROPERTY THAT IS  
21 SUBJECT TO A FINE IMPOSED BY THE FIRE PROTECTION DISTRICT PURSUANT  
22 TO SUBSECTION (1)(i)(II) OF THIS SECTION TO FILE AN OBJECTION TO THE  
23 FINE WITH THE DISTRICT'S BOARD. A DISTRICT'S BOARD MAY WAIVE THE  
24 FINE IN ALL OR IN PART, IN ITS DISCRETION, IF IT DETERMINES THAT:

25 (A) THE FINE WAS NOT ASSESSED IN COMPLIANCE WITH  
26 SUBSECTION (1)(i)(II) OF THIS SECTION;

27 (B) THE OWNER OR OCCUPIER FILING AN OBJECTION IS

1 FINANCIALLY UNABLE TO PAY ALL OR A PORTION OF THE FINE; OR

2 (C) AN OWNER OR OCCUPIER AGAINST WHICH A FINE WAS  
3 ASSESSED HAS REMOVED OR CAUSED THE REMOVAL OF THE VEGETATIVE  
4 FUEL AFTER THE ASSESSMENT OF THE FINE.

5 (V) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
6 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION SHALL NOT ASSESS A  
7 LIEN ON ANY PRIVATELY OWNED REAL PROPERTY FOR UNPAID FINES UNTIL  
8 THE OWNER OR OCCUPIER OF THE PRIVATELY OWNED REAL PROPERTY HAS  
9 FIVE OR MORE UNPAID FINES FOR VIOLATIONS CONCERNING THE SAME  
10 PRIVATELY OWNED REAL PROPERTY.

11 (VI) A FIRE PROTECTION DISTRICT THAT ESTABLISHES A PROGRAM  
12 PURSUANT TO SUBSECTION (1)(i)(I) OF THIS SECTION SHALL ADOPT RULES  
13 AND POLICIES AFTER A PUBLIC HEARING, PUBLIC NOTICE, AND THE  
14 ALLOWANCE OF PUBLIC COMMENT TO IMPLEMENT THIS SUBSECTION (1)(i)  
15 AND SHALL POST THE ADOPTED RULES AND POLICIES ON THE DISTRICT'S  
16 WEBSITE.

17 **SECTION 4. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly; except  
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
21 of the state constitution against this act or an item, section, or part of this  
22 act within such period, then the act, item, section, or part will not take  
23 effect unless approved by the people at the general election to be held in  
24 November 2026 and, in such case, will take effect on the date of the  
25 official declaration of the vote thereon by the governor.